

APPENDIX A

Kenneth R. Shea
Ellsworth, Maine 04605

Docket No. 030-14943
License No. 18-18369-01

As a result of the inspection conducted on July 1 and July 6, 1987, and in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C), the following violations were identified:

- A. 10 CFR 20.207(a) requires that licensed materials stored in an unrestricted area be secured against unauthorized removal from the place of storage. 10 CFR 20.207(b) requires that materials not in storage be under constant surveillance and immediate control of the licensee. As defined in 10 CFR 20.3(a)(17), an unrestricted area is any area access to which is not controlled by the licensee for purposes of protection of individuals from exposure to radiation and radioactive materials.

Contrary to the above, on July 1, 1987, a portable nuclear density gauge was stored in an unlocked trailer, which is an unrestricted area, and was neither under constant surveillance nor immediate control.

This is a Severity Level IV violation. (Supplement IV)

- B. 10 CFR 71.5(a) requires that licensed material to be transported must comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation 49 CFR Parts 170-189.

40 CFR 172.200(a) requires that each person who offers hazardous material for transportation must describe the material on shipping papers as required in that subpart.

Contrary to the above in the week beginning June 22, 1987, the licensee transported a nuclear portable gauge (hazardous material) from Ellsworth, Maine to Winter Harbor, Maine without the required shipping papers.

This is a Severity Level IV violation. (Supplement V)

- C. Condition 13(B) of License No. 18-18369-01 requires that records of leak tests required by that condition, be maintained for inspection by the Commission. Condition 13(A) requires leak tests every six months.

Contrary to the above as of July 6, 1987 the licensee maintained a record for one leak test in 1987 and did not maintain any leak test record in 1986.

This is a Severity Level V violation. (Supplement VI)

Pursuant to the provisions of 10 CFR 2.201, Kenneth R. Shea is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or explanation in reply, including; (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time.